

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Itzhak Bentwich  
App. No.: 10/604,984  
Conf. No.: 1983  
Filing Date: August 29, 2003

Art Unit: 1635  
Examiner: VIVLEMORE, TRACY ANN  
Title: BIOINFORMATIALLY  
DETECTABLE GROUP OF NOVEL  
VIRAL REGULATORY GENES  
AND USES THEREOF

**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. §§ 1.56, 1.97 AND 1.98**

Dear Sir:

In compliance with 37 C.F.R. § 1.97 and the continuing duty of disclosure under 37 C.F.R. § 1.56, Applicants call to the attention of the Examiner the reference listed on the attached form. It is respectfully requested that this Information Disclosure Statement be entered and the document listed on the attached forms be considered by the Examiner and made of record.

In accordance with 37 C.F.R. § 1.97(g), this Information Disclosure Statement is not to be construed as a representation that a search has been made. In accordance with 37 C.F.R. § 1.97(h), this Information Disclosure Statement is not to be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being resubmitted in response to an Office Action mailed on November 14, 2006 (the "Office Action") in connection with the instant application. In the Office Action, the Examiner alleges that a prior-filed information disclosure statement filed October 3, 2006 for the instant application fails to comply with 37 C.F.R. § 1.98(a)(3). The Examiner asserts that reference B5 is not in the English language, and therefore can not be considered for examination purposes. Applicant respectfully submits that the Examiner is in error because reference B5 is in English.

Because Applicant is resubmitting an IDS for a document that was disclosed in an IDS that was previously and timely filed, this IDS is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b)(3). No fees are believed to be due in connection with the filing of this

Information Disclosure Statement, however, should any fees under 37 C.F.R. § 1.16 to 1.21 be deemed necessary for any reason relating to this document, the Commissioner is hereby authorized to deduct the fees from Deposit Account No. 50-1662 referencing the above docket number.

Respectfully submitted,

POLSINELLI SHALTON FLANIGAN SUELTHAUS PC

Dated: May 17, 2007

By: /Teddy C. Scott, Jr., Ph.D./  
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